

BEFORE THE
DIVISION OF MEDICAL QUALITY
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation
Against:

DARYL CHRISTY TAYLOR, M.D.,
Physician and Surgeon
Certificate No. 30743

Respondent.

No. 16-94-33598

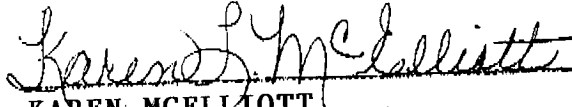
OAH No. N-9407008

DECISION

The attached Proposed Decision of the Administrative Law
Judge is hereby adopted by the Medical Board of California as its
Decision in the above-entitled matter.

This Decision shall become effective on May 27, 1995.

IT IS SO ORDERED April 27, 1995.


KAREN MCELLIOTT
President
Division of Medical Quality

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In the Matter of the Accusation)	
Against:)	No. 16-94-33598
)	
DARYL CHRISTY TAYLOR, M.D.,)	OAH No. N-9407008
Physician and Surgeon)	
Certificate No. 30743)	
)	
)	
Respondent.)	
)	

PROPOSED DECISION

On March 10, 1995, in Santa Barbara, California, Muriel Evens, Administrative Law Judge, Office of Administrative Hearings, State of California, heard this matter.

Gail Heppell, Deputy Attorney General, represented the complainant.

Respondent was present and assisted by Charles Cheatham, his employer.

Evidence was received, the record was closed and the matter was submitted.

FINDINGS OF FACT

I

Dixon Arnett is the Executive Director of the Medical Board of California and made and filed the Accusation solely in his official capacity.

II

On August 26, 1975, the Board issued physician and surgeon's certificate No. G30743 to respondent Daryl Christy Taylor. That certificate expired January 31, 1995.

III

On July 1, 1993, the Medical Disciplinary Board of the State of Washington suspended respondent's license to practice medicine and surgery in the State of Washington. Respondent may petition the Washington Board for a stay of the suspension

"after satisfactory completion of a program of treatment approved in advance by the Board, which will address both the Respondent's alcohol problem and his mental condition. . . . "

IV

Respondent is employed as a psychiatrist at the United Medical Clinic in Santa Maria. He is not involved in any mental health treatment program, but did attend a few A.A. meetings in January and February of this year. He has not participated in a program approved by the State of Washington. He said he would participate in the Medical Board's diversion program if ordered to do so.

V

On March 4, 1995, respondent was evaluated by a Medical Board-appointed psychiatrist. That report supported and explained the actions of the Washington Board.

VI

No evidence of costs was submitted by the Board.

DETERMINATION OF ISSUES

Cause for discipline of respondent's license for violation of Business and Professions Code section 2305 was established by Finding III.

ORDER

The certificate issued to respondent Daryl Christy Taylor is revoked. However, the revocation is stayed and

respondent is placed on probation for 10 years on the following terms and conditions:

1. Within 30 days of the effective date of this Decision, and on a periodic basis thereafter as may be required by the Division or its designee, respondent shall undergo a psychiatric evaluation (and psychological testing, if deemed necessary) by a Division-appointed psychiatrist who shall furnish a psychiatric report to the Division or its designee.

If respondent is required by the Division or its designee to undergo psychiatric treatment, respondent shall within 30 days of the requirement notice submit to the Division for its prior approval the name and qualifications of a psychiatrist of respondent's choice. Upon approval of the treating psychiatrist, respondent shall undergo and continue psychiatric treatment until further notice from the Division. Respondent shall have the treating psychiatrist submit quarterly status reports to the Division.

Respondent shall not engage in the practice of medicine until notified by the Division of its determination that respondent is mentally fit to practice safely.

2. Within 30 days of the effective date of this Decision, and on a periodic basis thereafter as may be required by the Division or its designee, respondent shall undergo medical evaluation by a Division-appointed physician who shall furnish a medical report to the Division or its designee.

If respondent is required by the Division or its designee to undergo medical treatment, respondent shall within 30 days of the requirement notice submit to the Division for its prior approval the name and qualifications of a physician of respondent's choice. Upon approval of the treating physician, respondent shall undergo and continue medical treatment until further notice from the Division. Respondent shall have the treating physician submit quarterly reports to the Division.

Respondent shall not engage in the practice of medicine until notified by the Division of its determination that respondent is medically fit to practice safely.

3. Within 30 days of the effective date of this Decision, respondent shall submit to the Division for its prior approval a plan of practice in which respondent's practice shall be monitored by another physician in respondent's field of practice, who shall provide periodic reports to the Division.


If the monitor resigns or is no longer available, respondent shall, within 15 days, move to have a new monitor appointed, through nomination by respondent and approval by the Division.

4. Respondent shall abstain completely from the use of alcoholic beverages.
5. Respondent shall immediately submit to biological fluid testing, at respondent's cost, upon the request of the Division or its designee.
6. Within 30 days of the effective date of this Decision, respondent shall enroll and participate in the Division's Diversion Program until the Division determines that further treatment and rehabilitation is no longer necessary. Quitting the program without permission or being expelled for cause shall constitute a violation of probation by respondent.
7. Respondent shall obey all federal, state and local laws, and all rules governing the practice of medicine in California.
8. Respondent shall submit quarterly declarations under penalty of perjury on forms provided by the Division, stating whether there has been compliance with all the conditions of probation.
9. Respondent shall comply with the Division's probation surveillance program.
10. Respondent shall appear in person for interviews with the Division's medical consultant upon request at various intervals and with reasonable notice.
11. The period of probation shall not run during the time respondent is residing or practicing outside the jurisdiction of California. If, during probation, respondent moves out of the jurisdiction of California to reside or practice elsewhere, respondent is required to immediately

notify the Division in writing of the date of departure, and the date of return, if any.

12. Upon successful completion of probation, respondent's certificate will be fully restored.
13. If respondent violates probation in any respect, the Division, after giving respondent notice and the opportunity to be heard, may revoke probation and carry out the disciplinary order that was stayed. If an accusation or petition to revoke probation is filed against respondent during probation, the Division shall have continuing jurisdiction until the matter is final, and the period of probation shall be extended until the matter is final.

Dated: March 22, 1995



MURIEL EVENS
Administrative Law Judge
Office of Administrative Hearings

1 DANIEL E. LUNGREN, Attorney General
of the State of California
2 JANA L. TUTON, Supervising
Deputy Attorney General
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Deputy Attorney General
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5 Sacramento, California 94244-2550
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6 Attorneys for Complainant

7 BEFORE THE
8 MEDICAL BOARD OF CALIFORNIA
9 DIVISION OF MEDICAL QUALITY
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

10 In the Matter of the Accusation)
11 Against:)

No. 16-94-33598

12 DARYL CHRISTY TAYLOR, M.D.
426 E. Baracellos, No. 203)
13 Santa Maria, CA 93454)
Physician's and Surgeon's)
14 Certificate No. G30743)

ACCUSATION

15 Respondent.

16 Complainant, Dixon Arnett, alleges as follows:

17 1. He is the Executive Director of the Medical Board
18 of California (hereinafter "Board") and makes and files this
19 accusation solely in his official capacity.

20 2. On or about August 26, 1975, respondent Daryl
21 Christy Taylor, M.D. (hereinafter "respondent") was issued
22 physician's and surgeon's certificate number G30743 by the Board.
23 Said certificate is delinquent with an expiration date of January
24 31, 1991.

25 3. Business and Professions Code sections 2220 and
26 2234 provide, in pertinent part, that the Division of Medical
27 Quality may take action against the holder of a physician's and

1 surgeon's certificate who is guilty of unprofessional conduct.

2

3 4. Business and Professions Code section 2305 provides
4 in part that the revocation, suspension, or other discipline by
5 another state of a license or certificate to practice medicine
6 issued by the state shall constitute unprofessional conduct
7 against such licensee in this state.

8 5. Respondent is subject to disciplinary action in
9 that he is guilty of unprofessional conduct within the meaning of
10 Business and Professions Code section 2305 as follows:

11 On July 1, 1993, in case number 93-03-0025MD, the State
12 of Washington, Medical Disciplinary Board issued a Notice and
13 Order of Summary Suspension of respondent's license to practice
14 medicine in Washington. The Washington Medical Board found that
15 the public health, safety and welfare required emergency action
16 in that the allegations set forth in a Statement of Charges
17 indicated that respondent did not have the ability to practice
18 medicine with reasonable skill and safety to consumers. The
19 allegations in the Statement of Charges state that respondent was
20 convicted of driving under the influence of alcohol in 1987 and
21 1988. In May, 1993, the police received a report that respondent
22 was threatening to kill himself and an emergency room physician.
23 In June, 1993, respondent underwent a psychological and substance
24 abuse examination at Springbook. Respondent was diagnosed with
25 bipolar disorder, manic phase and alcohol dependence. Respondent
26 was directed to return home to prepare to enter in-patient
27 treatment and was directed to contact Springbook. Respondent

1 failed to contact Springbook or the Washington Medical Board. A
2 true and correct copy of the Notice and Order of Summary
3 Suspension and Statement of Charges filed by the Washington
4 Medical Disciplinary Board is attached as Exhibit A and
5 incorporated by reference as if set forth in full.

6 WHEREFORE, complainant prays that the Division of
7 Medical Quality hold a hearing on the matters alleged herein and
8 following said hearing issue a decision:

9 1. Revoking or suspending physician's and surgeon's
10 certificate number G30743 heretofore issued to respondent Daryl
11 Christy Taylor, M.D.;

12 2. Prohibiting respondent from supervising physician's
13 assistants;

14 3. Directing respondent to pay to the Division a sum
15 not to exceed the reasonable costs of investigation and
16 prosecution; and

17 4. Taking such other and further action as it deems
18 necessary.

19 DATED: JUNE 6, 1994


20 
21 _____
22 DIXON ARNETT
23 Medical Board of California
24 Department of Consumer Affairs
25 State of California
26
27

EXHIBIT A

STATE OF WASHINGTON
MEDICAL DISCIPLINARY BOARD

In the Matter of Disciplinary)	
Action Concerning)	No. 93-03-0025MD
)	
DARYL C. TAYLOR, M.D.,)	NOTICE AND ORDER OF
)	SUMMARY SUSPENSION
Respondent.)	
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THIS MATTER having come before the Washington State Medical Disciplinary Board, and the Board having been advised by a Board member who reviewed medical records and other information gathered in the investigation of the Respondent, the Board makes the following:

I. FINDING OF FACT

The Washington State Medical Disciplinary Board finds that the public health, safety and welfare imperatively require emergency action pending further proceedings due to the nature of the allegations as set forth in the Statement of Charges, No. 93-03-0025MD dated July 1, 1993, which indicate the inability to practice with reasonable skill and safety to consumers pursuant to RCW 18.130.170.

II. CONCLUSIONS OF LAW

The license to practice medicine and surgery in the state of Washington held by Daryl C. Taylor, M.D. should be summarily suspended pending further disciplinary proceedings as authorized by RCW 18.130.050(7) and RCW 34.05.422(4) of the Administrative Procedure Act.

III. ORDER

Upon the above Findings of Fact and Conclusions of Law and under the authority of RCW 18.130.050(7) and RCW 34.05.422(4) the Washington State Medical Disciplinary Board enters the following order:

IT IS HEREBY ORDERED that the license to practice medicine and surgery held by Daryl C. Taylor, M.D. shall be and the same is suspended pending further disciplinary proceedings, effective immediately;

IT IS FURTHER ORDERED that the Washington State Medical Disciplinary Board is prepared to meet on July 29th, 1993 at 9:00am to provide the respondent a **PROMPT** hearing on the Statement of Charges and the order summarily suspending his license. **TO REQUEST SAID PROMPT HEARING RESPONDENT MUST COMPLETE, IN WRITING, THE ANSWER TO STATEMENT OF CHARGES, INCLUDING SUCH REQUEST FOR PROMPT HEARING AND RETURN THE ANSWER AND REQUEST TO THE ADDRESS GIVEN BELOW TO BE RECEIVED NO LATER THAN 5:00 P.M. ON THE TENTH (10TH) DAY FOLLOWING SERVICE OF THIS NOTICE AND ORDER OF SUMMARY SUSPENSION UPON YOU.** If said Request and Answer is not received by the time specified, Respondent will be deemed to have waived his opportunity for a prompt hearing. Should the respondent waive the prompt hearing the summary suspension of his license to practice medicine shall remain in effect pending disposition of this matter as the Board's schedule permits. The written Request for Prompt Hearing and Answer to Statement of Charges must be filed with the Medical

Disciplinary Board at the following address:

Kristin Hamilton, Hearings Manager
Medical Disciplinary Board
1300 S.E. Quince Street
Post Office Box 47866
Mail Stop EY 25
Olympia, Washington 98504-7866

IT IS FURTHER ORDERED that the summary suspension shall remain in effect pending final disposition of this matter by the Medical Disciplinary Board.

DATED this 1st day of July, 1993.

WASHINGTON STATE MEDICAL
DISCIPLINARY BOARD

By: Larry T. Brice for
LARRY T. BRICE, M.D.
Chair

Presented by:

Beverly Norwood Goetz
Beverly Norwood Goetz WSBA #8434
Assistant Attorney General

Kathryn Barron
Staff Attorney
Department of Health

John Huff, M.D.
Reviewing Board Member

NOTICE

PURSUANT TO WASHINGTON ADMINISTRATIVE CODE 246-920-130 IT IS THE RESPONSIBILITY OF THE LICENSEE TO MAINTAIN A CURRENT MAILING ADDRESS ON FILE WITH THE BOARD. THE MAILING ADDRESS ON FILE WITH THE BOARD SHALL BE USED FOR MAILING OF ALL OFFICIAL MATTERS FROM THE BOARD TO THE LICENSEE. IF CHARGES AGAINST THE LICENSEE SENT CERTIFIED MAIL TO THE ADDRESS ON FILE WITH THE BOARD ARE RETURNED UNCLAIMED OR ARE NOT ABLE TO BE DELIVERED FOR ANY REASON THE BOARD IS MANDATED TO PROCEED AGAINST THE LICENSEE BY DEFAULT PURSUANT TO RCW 34.05.440.

NOTICE AND ORDER OF
SUMMARY SUSPENSION - 3

(3000141.MDS - Replaces All Previous - 2/93)

STATE OF WASHINGTON
MEDICAL DISCIPLINARY BOARD

In the Matter of Disciplinary
Action Concerning

DARYL C. TAYLOR, M.D.,

Respondent.

No. 93-03-0025MD

STATEMENT OF CHARGES

The Medical Disciplinary Board of the State of Washington, having determined upon investigation that there is reason to believe that the license holder may be subject to RCW 18.130.170 states and alleges as follows:

I.

At all times material to this Statement Respondent has been licensed to practice medicine by the state of Washington.

II.

Respondent called the Emergency Department at Harrison Memorial Hospital for medical advice on February 25, 1993.

III.

The physician who took Respondent's call reported that Respondent's speech was rambling, that Respondent's thought patterns were disjointed and that Respondent exhibited a general confusion of ideas. The physician also reported that Respondent told him he had been bedridden for five days. Respondent gave the physician his address but would not reveal his apartment number. The physician's report was received by the Board on March 4, 1993.

IV.

A Department of Health investigator spoke with Respondent by telephone on March

16, 1993. The investigator reported that Respondent's answers to the investigator's questions were unrelated to the questions which the investigator asked.

V.

Respondent was convicted of driving under the influence of alcohol in 1987 and in 1988.

VI.

The City of Bremerton Police Department received a report on May 20, 1993 that Respondent was threatening to kill himself and the Emergency Department physician referenced in paragraph III above. That report was telefaxed to the Board on May 21, 1993.

VII.

Respondent was evaluated at Springbrook Northwest (Springbrook) from June 14, 1993 - June 15, 1993 pursuant to the Board's May 14, 1993 Interim Order for Psychological and Substance Abuse Examination.

VIII.

Following a detailed Addiction Medicine Assessment, Psychiatric Evaluation and Psychological Assessment and an in-depth medical evaluation at Springbrook Respondent was diagnosed with bipolar disorder, manic phase and alcohol dependence.

IX.

The Springbrook treatment team recommended to the Board and to Respondent that Respondent not practice medicine until he receives further treatment both for his bipolar disorder and his addiction. Respondent was discharged from Springbrook to return home to prepare to enter in-patient treatment and was directed to contact Springbrook on June 21, 1993.

X.

As of June 24, 1993 Respondent had contacted neither Springbrook nor the Board regarding his plans for treatment.

XI.

A Department of Health investigator visited Respondent's office on June 24, 1993. Respondent's office was closed. Individuals in the office next door to Respondent reported that patients of Respondent were seen waiting in the hallway at Respondent's office on June 23, 1993 and that they believed Respondent had seen patients.

XII.

The allegations specified in paragraphs II - XI above, if proved, constitute grounds for disciplinary action pursuant to RCW 18.130.170, which states:

(1) If the disciplinary authority believes a license holder or applicant may be unable to practice with reasonable skill and safety to consumers by reason of any mental or physical condition, a statement of charges in the name of the disciplining authority shall be served on the license holder or applicant and notice shall also be issued providing an opportunity for a hearing. The hearing shall be limited to the sole issue of the capacity of the license holder or applicant to practice with reasonable skill and safety. If the disciplining authority determines that the license holder or applicant is unable to practice with reasonable skill and safety for one of the reasons stated in this subsection, the disciplining authority shall impose such sanctions under RCW 18.130.160 as is deemed necessary to protect the public.

It is further alleged that the conduct referred to in this Statement of Charges affects the public health, safety and welfare, and the Board directs that a notice be issued and served on the respondent as provided by law, giving Respondent the opportunity to defend against the allegations in this statement of charges. If Respondent fails to defend against these allegations, Respondent shall be subject to such discipline as is appropriate under RCW 18.130.160 and/or RCW 18.130.170(2).

In determining what sanctions to impose, the Board may receive evidence of and consider the following: 1) prior disciplinary actions in this or any jurisdiction; 2) information developed by and/or actions relating to peer review activities; 3) prior malpractice actions, 4) other evidence of unprofessional conduct.

The Board reserves the right to amend this Statement of Charges, including the right to bring additional charges, in the event additional information is received supporting such amendment or addition.

DATED this 1st day of July, 1993.

DON MILLER, M.D.
Secretary, Washington State
Medical Disciplinary Board

By: Kristin Hamilton
Kristin Hamilton
Hearings Manager

Presented by:

Beverly Norwood Goetz
Beverly Norwood Goetz WSBA #8434
Assistant Attorney General
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Seattle, Washington 98164
Telephone (206)464-6746

John Huff, M.D.
Reviewing Board Member

Kathryn Barron
Dept. of Health Staff Attorney

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